

COUNTY NOTICES PURSUANT TO A.R.S. § 49-112(A) OR (B)

NOTICE OF PROPOSED RULE ADOPTED PURSUANT TO A.R.S. § 49-112 (A) OR (B)

Maricopa County

Environmental Services Department, Technical Services Division

1. Heading and number of the proposed rule, ordinance, or other regulations

Revisions to Rule 220 (Non-Title V Permit Provisions)
Revisions to Rule 332 (Perchloroethylene Dry Cleaning)
Revisions to Rule 337 (Graphic Arts)
Revisions to Rule 342 (Coating Wood Furniture And Fixtures)
Revisions to Rule 345 (Vehicle Refinishing)
Revisions to Rule 346 (Coating Wood Millwork)
New Rule 347 (Sand Casting)
Revisions to Rule 360 (New Source Performance Standards)
Revisions to Rule 370 (Federal Hazardous Air Pollutant Program)

2. Summary of the proposed rules, ordinance, or other regulations

Revisions To Rule 220 (Non-Title V Permit Provisions)

Rule 220 was adopted by the Maricopa County Board Of Supervisors three years ago. After having put Rule 220 into practice for the last three years both Maricopa County Environmental Services Department staff and the regulated community are aware that Rule 220 does not allow a permitted source enough flexibility to make modifications to a source (in other words, to change source operating procedures or to change source operating equipment).

Under the current version of Rule 220, a source that has the potential to emit pollutants below the major source threshold (in other words, less than 100 tons per year of any conventional air pollutant) must apply for a Non-Title V permit. The Control Officer will issue a source a Non-Title V permit provided the source has submitted a complete Non-Title V permit application that satisfies the criteria of Rule 220. In addition, according to the current version of Rule 220, once a source has a Non-Title V permit, the source is allowed to make certain modifications in operation or equipment without having to notify the Control Officer and is allowed to make other modifications depending on the complexity of the modifications after submitting to the Control Officer an administrative permit amendment application, a minor permit revision application, or a non-minor permit revision application.

The proposed revisions to Rule 220 allow a source with a Non-Title V permit to make modifications at the source with either no paperwork or with minimal paperwork, so long as the source has applied for and has received a sourcewide applicable limit (SAL), which is being considered as an "emissions cap". Maricopa County recognizes that the issues raised regarding these proposed revisions to Rule 220 are complicated. However, the goal of the proposed revisions to Rule 220 has always been and continues to be to allow a source with a Non-Title V permit more flexibility to make modifications while also protecting the public from health risks.

Revisions To Rule 332 (Perchloroethylene Dry Cleaning)

Effective March 8, 1996, the Environmental Protection Agency (EPA) deleted perchloroethylene from the definition of volatile organic compound (VOC) and added it to the list of compounds that are not considered VOC's on the basis that perchloroethylene has negligible photochemical reactivity. Perchloroethylene is a solvent commonly used in dry cleaning.

Maricopa County added perchloroethylene to the definition of non-precursor organic compound in Maricopa County Air Pollution Control Regulations Rule 100 (General Provisions And Definitions) in a rulemaking action on April 3, 1996. Now Maricopa County is proposing to rescind Rule 332, since Rule 332 is no longer required for purposes of obtaining national ambient air quality standards (NAAQS) for ozone.

Revisions To Rule 337 (Graphic Arts)

EPA requires Maricopa County to revise Rule 337 so as to perpetually require periodic recording of information reflecting the VOC content of fountain solution. Fountain solution contains water and dissolved VOC and is an integral part of offset lithographic printing. The current provision in Rule 337 allows a facility to forever abandon such recordkeeping after six months of daily recordkeeping.

Maricopa County proposes simpler recordkeeping provisions for facilities using only "alcohol substitute" by requiring that they make only a monthly entry for each different fountain-solution formulation. Fountain solutions lacking simple alcohols generally have much lower VOC content than fountain solutions having simple alcohols; thus, the former are unlikely to exceed the VOC standard.

Maricopa County is proposing to add to Rule 337 an alternative standard using fountain-solution density. This alternative standard will allow quick and easy compliance determination using a hydrometer for fountain solutions containing any simple alcohol. A reading below the threshold density will signal that there is too great a VOC concentration.

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Maricopa County is proposing other changes, including correcting an incorrect numeral in a section-number reference and clarifying recordkeeping provisions for VOC-containing materials.

Revisions to Rule 342 (Coating Wood Furniture And Fixtures)

And

Revisions to Rule 346 (Coating Wood Millwork)

Both Rule 342 and Rule 346 are complex. The complexity, which stems from the complexity of EPA's Draft Model Rule For Furniture Coating from which both rules were derived, makes it especially difficult for many smaller businesses to understand. Maricopa County will propose some alternative provisions in an attempt to simplify these rules, at least for small businesses. For example, Maricopa County proposes to allow the "pounds per gallon" format as well as "pounds per pound" format in records of materials having no VOC limit.

To reduce complexity for low-emission facilities, Maricopa County proposes to add a simplified section to each rule which attempts to have all their requirements on one sheet. One or more "thresholds" will be proposed that are intended to separate shops with continuously low emissions from larger shops or from shops in the process of becoming greater-emitting shops. The thresholds and simplifications that are chosen will have to be so designed that there will be no substantive slowing of the rate at which Maricopa County reduces VOC emissions from wood furniture and millwork coating. By making each rule simpler, the level of compliance is expected to increase.

Revisions To Rule 345 (Vehicle Refinishing)

The only changes proposed to Rule 345 are technical corrections. These changes include correcting an error in the alphanumeric referencing another rule and correcting a dimensional error in a definition ("pounds" was incorrectly used instead of "gallons").

In addition, Maricopa County proposes to increase an "alert threshold", the quantity above which a facility must notify the Control Officer for fee payment purposes. The current value of 1,000 gallons of cleaning solvent received is too low to identify only those facilities which are likely to reach 10,000 pounds of emission (in other words, those facilities owing an emissions fee).

New Rule 347 (Sand Casting)

Maricopa County is proposing general good-practice requirements for all sand casting facilities and is proposing source-specific standards for M.E. West's facility in Tempe and for Magotteaux-International's facility in Chandler.

For M.E. West, Maricopa County is proposing a limit expressed in parts resin per 100 parts of dry sand. The limit will be an average for each running period of days. The parts of resin will lie somewhere between 1.1 and 1.3. The workshops will help discover the exact value of the resin ratio and of the length of the running period for averaging purposes.

Maricopa County is also proposing that M.E. West keep a list of all castings made under good industry practice that require a resin proportion above the general limit. An entry will show the lowest consistently successful resin-to-sand ratio(s). Casting types for which no casting has been made using the newly installed casting equipment are not required to have a resin proportion assigned to them until a successful casting has been made. This proportion may be modified upward in light of (a) subsequent casting failure(s), if the operator can demonstrate that such adjustment is in line with good industry practice.

For Magotteaux, Maricopa County is proposing a standard that will limit the ratio of resin-mass used (in the casting-sand portion of the molds) per mass of metal poured. The ratio is expected to be less than 1.0 : 100.

In addition, Maricopa County is proposing a provision that for either company, if VOC can be controlled for less than five-thousand 1992-basis dollars per ton, then such controls shall be used. Maricopa County will also propose to limit the amount of organic material in scrap metal to reduce VOC emissions from melting scrap.

Revisions to Rule 360 (New Source Performance Standards)

And

Revisions to Rule 370 (Federal Hazardous Air Pollutant Program)

In order to be consistent with the Arizona Department Of Environmental Quality's (ADEQ) recent revisions to its air quality rules regarding New Source Performance Standards (NSPS) and National Emissions Standards For Hazardous Air Pollutants (NESHAP), Maricopa County is proposing to revise Rule 360 and Rule 370.

The proposed revisions to Rule 360 and Rule 370 are at least equal to the revisions made by ADEQ. The proposed revisions incorporate by reference sections of the Code Of Federal Regulations (CFR) which will allow Maricopa County to implement Section 111 and Section 112 of the Clean Air Act Amendments of 1990. These federal standards are designed to reduce air pollution generated from stationary sources. NSPS regulates emissions of six criteria pollutants (carbon monoxide, ozone, oxides of nitrogen, lead, sulfur dioxide, and particulate matter). NESHAP regulates emissions of the 189 hazardous air pollutants (HAPs) listed in Section 112 of the Clean Air Act.

3. A demonstration of the grounds and evidence of compliance with A.R.S. § 49-112(A) or (B)

Based on information and belief, the Control Officer of the Maricopa County Environmental Services Department affirms the following:

- A. Maricopa County is in compliance with A.R.S. 49-112(A) in that Maricopa County Environmental Services Department is proposing to adopt rules that are not more stringent than nor are in addition to a provision of A.R.S. Title 49 or rule adopted by the Director of ADEQ or any Board or Commission authorized to adopt rules pursuant to A.R.S. Title 49.

County Notices Pursuant to A.R.S. § 49-112(A) or (B)

Maricopa County fails to meet the National Ambient Air Quality Standards (NAAQS) for carbon monoxide (CO), ozone and particulates. In addition, Maricopa County is the only ozone nonattainment area in Arizona. Any changes to the Maricopa County Air Pollution Control Regulations that might incur due proposed revisions to Rule 220, Rule 332, Rule 337, Rule 342, Rule 345, Rule 346, New Rule 347, Rule 360, and Rule 370 will address emission limitations which reduce concentrations of ozone and implement control measures proposed for inclusion in the State Implementation Plan (SIP) for the Maricopa County Nonattainment Area.

- B. Maricopa County is in compliance with A.R.S. § 49-112(B) in that Maricopa County Environmental Services Department is proposing to adopt rules that are as stringent as a provision of A.R.S. Title 49 or rule adopted by the Director of ADEQ or any Board or Commission authorized to adopt rules pursuant to A.R.S. Title 49. The cost of obtaining permits or other approvals from Maricopa County will approximately equal or be less than the fee or cost of obtaining similar permits or approvals under Title 49 or any rule adopted pursuant to Title 49.

Maricopa County fails to meet the National Ambient Air Quality Standards (NAAQS) for carbon monoxide (CO), ozone and particulates. In addition, Maricopa County is the only ozone nonattainment area in Arizona. Maricopa County may adopt rules that are more stringent than the State pursuant to A.R.S. § 49-112 as enacted in 1994, provided that the emission standard is required by law or is necessary and feasible to prevent a significant threat to public health or the environment that results from a unique local condition.

4. Name and address of the person to whom persons may address questions or comments

Name: Jo Crumbaker, Planning & Analysis Section Manager

or

Johanna M Kuspert, Environmental Planner

Address: Maricopa County Environmental Services Department
Technical Services Division
Park Centre
2406 South 24 Street Suite E-111
Phoenix Arizona 85034

Telephone: (602) 506-6705 or (602) 506-6710

Fax: (602) 506-6179

5. Where persons may obtain a full copy of the proposed rules, ordinance, or other regulations

Name: Maricopa County Environmental Services Department
Technical Services Division

Address: Park Centre
2406 South 24 Street Suite E-111
Phoenix Arizona 85034

Telephone: (602) 506-6010

Fax: (602) 506-6179

NOTICE OF PUBLIC WORKSHOPS

Maricopa County

Environmental Services Department, Technical Services Division

Notice Pursuant To A.R.S. 49-112(A) Or A.R.S. 49-112(B)

1. Heading and number of the proposed rules, ordinance, or other regulations that are the subject of this public workshop

Revisions To Rule 220 (Non-Title V Permit Provisions)
Revisions To Rule 332 (Perchloroethylene Dry Cleaning)
Revisions To Rule 337 (Graphic Arts)
Revisions To Rule 342 (Coating Wood Furniture And Fixtures)
Revisions To Rule 345 (Vehicle Refinishing)
Revisions To Rule 346 (Coating Wood Millwork)
New Rule 347 (Sand Casting)
Revisions To Rule 360 (New Source Performance Standards)
Revisions To Rule 370 (Federal Hazardous Air Pollutant Program)

2. Date, time, and location of each public workshop scheduled

Date: August 29, 1996

Time: 9 a.m. to 10:30 a.m. to discuss proposed revisions to Rule 220, Rule 360, Rule 370, and rescinding of Rule 332.

10:30 a.m. to noon to discuss proposed New Rule 347.

1:15 p.m. to 3 p.m. to discuss proposed revisions to Rule 342 and Rule 346.

3 p.m. to 4 p.m. to discuss proposed revisions to Rule 337 and Rule 345.

Location: Maricopa County Environmental Services Department
Santan Room
2406 South 24th Street, Suite 113
Phoenix, Arizona 85034

Date: September 12, 1996:

Time: 8:30 a.m. to 10:30 a.m. to discuss proposed revisions to Rule 220, Rule 360, Rule 370, and rescinding of Rule 332.

10:30 a.m. to 12:30 p.m. to discuss New Rule 347.

2:30 p.m. to 4:30 p.m. to discuss proposed revisions to Rule 337, Rule 342, Rule 345, and Rule 346.

Nature: Public workshops to discuss the above listed rules.

3. County personnel to whom questions and comments may be addressed

Name: Jo Crumbaker, Planning & Analysis Section Manager

OR

Johanna M Kuspert, Environmental Planner

Address: Maricopa County Environmental Services Department
Technical Services Division
Park Centre
2406 South 24 Street Suite E-111
Phoenix Arizona 85034

Telephone: (602) 506-6705 or (602)506-6710

Fax: (602) 506-6179

4. Any other pertinent information concerning the above described rules, ordinance, or other regulations
Please refer to the Notice Of Proposed Rules which appears in this issue of the *Register*.